







ATTORNEY'S DOCKET NO: C1037/7013 (HCL/MAT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Robert L. Bratzler, et al.

09/776,479

Filed: For:

February 2, 2001 IMMUNOSTIMULATORY NUCLEIC ACIDS FOR THE TREATMENT OF

ASTHMA AND ALLERGY

Examiner:

Not yet assigned

Art Unit:

1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Missing Parts, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the 7th day of November, 2001.

Maria A. Trevisan, Reg. No. 48,207

BOX MISSING PARTS

Commissioner for Patents Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- [X] **Notice to File Missing Parts**
- Response to the Notice to File Missing Parts [X]
- Check for \$954.00
- [X] **Preliminary Amendment**
- **Declaration for Patent Application** [X]
- **Fee Calculation Sheet**
- **Return Postcard** [X]

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

A check for \$954.00 is enclosed. If any further fee is determined to be due the Examiner is authorized to charged said fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully Submitted,

Maria A. Trevisan, Reg. No.: 48,207

WOLF, GREENFIELD & SACKS, P.C.

600 Atlantic Avenue Boston, MA 02210-2211

(617)720-3500

Attorney's Docket No.: C0137/7013

Date: November +, 2001

x12/11/01

ATTORNEY'S DOCKET NO: C1037/7013 (HCL/MAT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BOX MISSING PARTS

Commissioner for Patents Washington, D.C. 20231

Sir:

RESPONSE TO THE NOTICE TO FILE MISSING PARTS

This is in response to the Notice to File Missing Parts of Non-Provisional Application mailed from the United States Patent and Trademark Office on October 11, 2001.

Attached is the Declaration and Power of Attorney executed by Robert L. Bratzler, Deanna M. Petersen and Yves Fouron as well as a Preliminary Amendment.

Also attached is a check in the amount of \$ 954.00 to cover the cost of the filing fee and the surcharge for filing a late Declaration and Power of Attorney.

Accordingly, Applicants believe that this document is responsive to the Notice to File Missing Parts.

-2-

If any other information is needed, please contact the undersigned attorney by phone (617-720-3500, Ext. 266) to expedite the further prosecution of this patent application.

Respectfully submitted,

WOLF, GREENFIELD & SACKS, P.C.

Maria A. Trevisan, Reg. No. 48,207

WOLF, GREENFIELD & SACKS, P.C.

600 Atlantic Avenue

Boston, MA 02210-2211

Attorneys for Applicant(s)

Tel. no. (617) 720-3500

ATTORNEY'S DOCKET NO.: C1037/7013 (HCL/MAT)

November $\frac{1}{2}$, 2001

x12/11/01







United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

FILING/RECEIPT DATE FIRST NAMED APPLICANT APPLICATION NUMBER ATTORNEY DOCKET NUMBER 09/776,479 02/02/2001 Robert L. Bratzler C1037/7013(HCL/MAT)

CONFIRMATION NO. 7139

Date Mailed: 10/11/2001

FORMALITIES LETTER

OC000000006884230

Helen C Lockhart Wolf Greenfield & Sacks P C 800 Atlantic Avenue Boston, MA 02210

JAN 0 8 2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

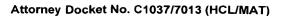
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$368.
 - \$288 for 16 total claims over 20.
 - \$80 for 1 independent claims over 3.
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1208.

음음음 충원꽃 01/14/2002 AWDNDAF1 00000053 09776479 A copy of this notice MUST be returned with the reply. Customer Service Center Initial Patent Examination Division (703) 308-1202 PART 2 - COPY TO BE RETURNED WITH RESPONSE



ntor(s):

Robert L. Bratzler, et al.

Serial No:

09/776,479

Filed:

February 2, 2001

CHECK BOX, if applicable:

For:

IMMUNOSTIMULATORY NUCLEIC ACIDS FOR THE TREATMENT OF ASTHMA AND ALLERGY

□ DUPLICATE

Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE	
	TOTAL CLAIMS (37 CFR 1.16(c))	20-20=	0 x	\$ 18	= \$	0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	4-3=	1 x	\$ 84	= \$	84.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) + \$			= \$		
				BASIC FEE (37 CFR 1.16(a))	\$	740.00
	Fee for Petition for Extension of Time (if any)				\$	
			Total of above Ca	alculations =	\$	824.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$	
4.74	Assignment Recordation Fee (if any)				\$	- 111
	Other Fees (if any).				\$	130.00
				TOTAL =	\$	954.00

1. A check in the amount of \$954.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

- If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ ⊠1.16 ⊠ 1.17 or □1.18, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
 - b.

 The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ □1.16 □ 1.17 or □ 1.18.
- 3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

Docket No. C1037(7013 (HCL/MAT)

Date: November ±, 2001

Wolf, Greenfield & Sacks, P.C. 600 Atlantic Avenue Boston, MA 02210-2211

(617) 720-3500 Attorneys of Record